

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	CASE NO. 1:16-CR-0224
)	
Plaintiff,)	JUDGE PATRICIA GAUGHAN
)	
vs.)	
)	
)	
RADU MICLAUS, et al.)	<u>UNOPPOSED MOTION TO</u>
)	<u>CONTINUE SENTENCING</u>
Defendants.)	<u>HEARING</u>
)	
)	

Now comes Defendant Radu Miclaus (the "Defendant"), by and through counsel, and hereby respectfully moves this Court to continue the sentencing hearing this matter currently set for February 1, 2023, for the following reasons.

First, the undersigned was materially ill the week of January 23, 2023, which took the undersigned's practice functionally off-line for most of the week of January 23, 2023. Further, that illness caused a Summit County civil bench trial to be commenced on Friday January 27, 2023 - instead of the scheduled commencement date of January 25, 2023. Now, that civil trial is scheduled to continue on Monday January 30, 2023, and may not complete on that day. All of the foregoing has placed the undersigned's trial docket at least 5 days behind schedule.

Second, it is the understanding of the undersigned that the attorneys for all of the parties, including the Government, would

like to fully brief this Court on re-sentencing issues before any full hearing on re-sentencing. The issues on remand from the Sixth Circuit are somewhat complicated, and the undersigned and counsel for the Government have been trying to discuss streamlining and identifying what those material issues might be.

Lastly, it is the understanding of the undersigned that neither counsel for the co-defendant nor the Government have any objection to this motion to continue.

For the foregoing reasons, the Defendant respectfully moves this Court to continue the re-sentencing in this matter for a period of no less than 30 days.

Respectfully submitted;

LIPSON O'SHEA LEGAL GROUP

/Michael J. O'Shea

Michael J. O'Shea, Esq. (0039330)

michael@lipsonoshea.com

The Hoyt Block Building - Suite 110

700 West St. Clair Avenue

Cleveland, Ohio 44113

(216) 241-0011

(440) 331-5401 - fax

Attorney for the Defendant

PROOF OF SERVICE

I hereby certify that a true copy of the foregoing has been filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic record. All other parties will be served by regular U.S. Mail. Parties may access this filing through the Court's electronic system.

S/Michael J. O'Shea
Michael J. O'Shea